



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2301410

Applicant Name: Julie LeDoux for Selco Development

Address of Proposal: 2821 NW 56th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to divide one parcel into four unit lots. Proposed parcel sizes are: A) 1,420.2 sq. ft., B) 1,416.8 sq. ft., C) 1,308.2 sq. ft.; and D) 1,304.8 sq. ft.

The following approval is required:

Short Subdivision - to divide one parcel into four unit lots.
(SMC Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading, or demolition, or
 another agency with jurisdiction.

BACKGROUND DATA

Site Description

This 5,450 square foot site is located in a Lowrise 3 (L-3) zone in the Ballard area one block north of NW Market Street. The site slopes gently down to the south until it hits the alley which is steeply sloped. The applicant applied for and was granted an exemption from Environmentally Critical Areas review, 2301367, as the slope appeared to be created as part of the development of the property to the south.

Area Zoning

Zoning along this block of NW 56th Street is L-3. The zoning changes to SF5000 to the north (along NW 57th and continuing north). South of the site along NW Market Street the zoning changes to Industrial Buffer with a 45 foot height limit for some uses and unlimited height for industrial type uses (IBU/45). To the east the zoning changes east of 28th Avenue NW to Lowrise 1 (L-1) and then to L-3. West of 30th Avenue NW and north of NW 56th Street the zoning changes to Lowrise Duplex Triplex (LDT).

Area Development

NW 56th Street is developed with mostly multifamily structures including apartments, townhouses and small duplex and triplex structures. There are a couple of single family residences within the mix along this street in the immediate vicinity.

Proposal Description

The applicant proposes to subdivide the subject parcel into four unit lots with sizes as follows: Unit Lot A) 1,420.2 sq. ft., Unit Lot B) 1,416.8 sq. ft., Unit Lot C) 1,308.2 sq. ft.; and Unit Lot D) 1,304.8 sq. ft. The existing structure will be demolished. A building permit application, Project #2209023, has been submitted and is currently under review for the construction of two, two-unit townhouses.

Public Comments

One comment letter in opposition was received during the comment period which ended on April 23, 2003. The letter included concerns about density, construction noise and the desire to save the existing structure.

ANALYSIS - SHORT SUBDIVISION

Based upon information provided by the applicant; review and approval of access, drainage and zoning within the Department of Design Construction and Land Use (DCLU); the review and approval from the Seattle Water Department (SWD), Seattle Fire Department (SFD), and Seattle City Light; and review by the Land Use Planner, the following findings are made with respect to the criteria cited above:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit Subdivisions.*
1. The proposed unit lot subdivision conforms to the applicable zoning and land use code development standards. There is currently an application under review for the construction of two, two-unit townhouse structures, Application #2209023. The building permit was reviewed to ensure that all development standards of the L-3 zone are met, including but not limited to density, setbacks, lot coverage, open space, parking and access.
2. Vehicular access to the new building sites will be from NW 56th Street. The Seattle Fire Department has approved the unit lot subdivision. The Fire Department has requested that parcels located on private access easements place an address identification sign near the intersection of the access easement with the public road for ease of identification of the property in the event of an emergency. In order to assure that the maintenance responsibility of the private access is clear, the applicant/responsible party will be required to attach a maintenance agreement to the final short plat. Seattle City Light requires an overhead/underground easement. These requirements will be included as conditions of the final short plat map to assure continued access for vehicles, utilities, fire protection and other emergency response.
3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle and availability of service is assured subject to standard conditions of utility extension. Water availability certificate # 2003-0407 was approved and issued on 4/22/03. The stormwater drainage system to be incorporated with the construction of the new building will be reviewed for compliance with the applicable provision of the Stormwater, Grading and Drainage Control Code by the DCLU Access and Drainage Review Section upon application for building permits. Drainage for this application and the proposed townhouse structures has been approved.
4. The public use and interests are served by permitting the proposed division of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. This site is not in a mapped environmentally critical area although the alley area is steeply sloped. The applicant applied for and was granted an Environmentally Critical Areas Exemption based on the fact that the slope was likely created by the development to the south.
6. Tree retention and planting requirements were reviewed under the building permit application, #2209023.
7. The provisions of SMC Section 23.24.045, Unit Subdivisions, are as follows:
 - A. The provisions of this section apply exclusively to the unit subdivision of townhouses, cottage housing, clustered housing or Single Family residences in zones where these uses are permitted.

The subject proposal would establish separate unit lots for each unit of the townhouse structures.

- B. Sites developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that private, useable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.

The open space, as required, is located on each unit lot.

- C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

The condition added pursuant to Criterion F below should assure proper control of future platting actions, additions or modifications to the structure(s).

- D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open spaces (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.

Joint use and maintenance agreements for pedestrian and vehicular easements and all common areas must be provided with the final recording documents and is a condition of this decision. A maintenance easement or agreement is required if maintenance access across another property is desirable or required to maintain any portion of a building.

- E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of the King County Department of Records and Elections.

Required parking will be provided within each structure.

- F. The fact that the unit lot is not a separate building lot and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.

Review of the survey shows that the proposed unit lot subdivision conforms to applicable standards of SMC 23.24.045 in the L-3 zone. As conditioned below, the future owners shall have constructive notice that additional development may be limited.

SUMMARY - SHORT SUBDIVISION

The lots to be created by this unit lot subdivision will meet all minimum standards of the L-3 zone set forth in the Land Use Code. As conditioned, this unit subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been

provided for each lot and service is assured, subject to standard conditions governing utility extensions.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Add to the face of the plat the required Seattle City Light easement.
2. Include with the plat an easement, covenant or other agreement to allow for the proper positing of individual unit addresses in a manner visible from NW 56th Street.
3. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat "For conditions of approval after recording see page ____ of ____."
4. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
5. Enlarge the typeface, use boldface type, underline or otherwise highlight the following on the face of the plat: "Unit lots resulting from this unit subdivision are not separate building lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot."
6. Submit the recording fee and final recording forms for approval.

Prior to Issuance of Building Permit

7. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short plat to any future building plans.

Signature: (signature on file) Date: June 19, 2003
Lori Swallow, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services